

### REMARKS

Of the five references cited, U.S. Patent No. 6,129,965 to Langan, U.S. Patent No. 6,329,631 to Yueh, U.S. Patent No. 5,760,367 to Rosenwasser, Japanese No. 358087846A and Japanese No. 356057037A, not one is concerned with marking gemstones by inscribing the gemstones with marking patterns formed on stencils that are adhered to the gemstones. Langan is concerned with paper labels; Yueh does not disclose any stencil, but instead a solder strip for transferring solder to a semiconductor; Rosenwasser is concerned with painting a coating; and the two Japanese references are concerned with the manufacture of semiconductors.

To further distinguish claim 38 over the references, it has been amended to emphasize that the stencils are adhered to the gemstones – a feature which is not disclosed by any reference.

To obviate the double patenting rejection, a terminal disclaimer over U.S. Patent No. 6,662,716 is enclosed together with the statutory fee of \$65.00.

Petition is hereby made for a two-month extension of the period to respond to the outstanding Official Action to April 7, 2007. A check in the amount of \$225.00, as the Petition fee, is enclosed herewith. If there are any additional charges, or any overpayment, in connection with the filing of the amendment, the Commissioner is hereby authorized to charge any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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